



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6384

~~H-1~~

CH-1

March 14, 2017

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, find that the area to be vacated is not needed for present or prospective public use; and, adopt a Resolution ordering the vacation of the alley west of Cedar Avenue between La Reina Way and 7th Street. (District 1)

DISCUSSION

The City of Long Beach requests the vacation of the unpaved alley west of Cedar Avenue between La Reina Way and 7th Street, as shown on Sketch 1022V (Exhibit A). Consistent with California land reversion practices, the vacated portions of the alley will revert back to the adjacent property owners.

Proceedings for this vacation are being conducted in accordance with Chapter 3, General Vacation Procedure, of the Public Streets, Highways and Service Easements Vacation Law of the California Streets and Highways Code. Findings must establish that the subject right-of-way is unnecessary for present or prospective public use. The Public Works Department supports this action based on the following evidence, facts, conditions, and findings:

- No City refuse collection occurs along this alley.
- On December 1, 2016, the Planning Commission determined that the subject vacation is consistent with the General Plan, as required in Section 65402 of the California Government Code.
- In conformance with the California Environmental Quality Act, Categorical Exemption No. CE-16-228 was issued for this project, and adopted and accepted by the City Council on February 7, 2017.
- The various interested City departments, including Police and Fire Prevention, have reviewed the proposed alley vacation and have no objection to this action, subject to the reservation of an easement for the below-described utility easement.
- A utility easement will be reserved over the area vacated to provide for various existing utility services, which include water, sewer, storm drains, gas, and electrical power and communication lines.
- Reference is made to the material submitted pursuant to the Resolution of Intention. A copy of the February 7, 2017 City Council letter is attached as Exhibit B.

This matter was reviewed by Deputy City Attorney Linda T. Vu on February 16, 2017 and by Budget Analysis Officer Julissa Jose-Murray on February 23, 2017.

TIMING CONSIDERATIONS

On February 7, 2017, the City Council adopted Resolution No. RES 17-0007, declaring its intention to vacate the subject right-of-way, and set March 14, 2017 as the date for the public hearing.

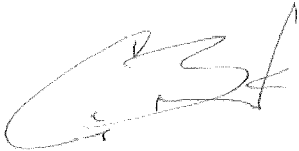
FISCAL IMPACT

This alley vacation was initiated by the City, no Final Fee will be collected. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CRAIG A. BECK
DIRECTOR OF PUBLIC WORKS

CB:SDJ:JC

APPROVED:



PATRICK H. WEST
CITY MANAGER

ATTACHMENTS: EXHIBIT A – SKETCH
EXHIBIT B – FEBRUARY 7 COUNCIL LETTER
RESOLUTION

SKETCH 1022V

RECORD DATA:

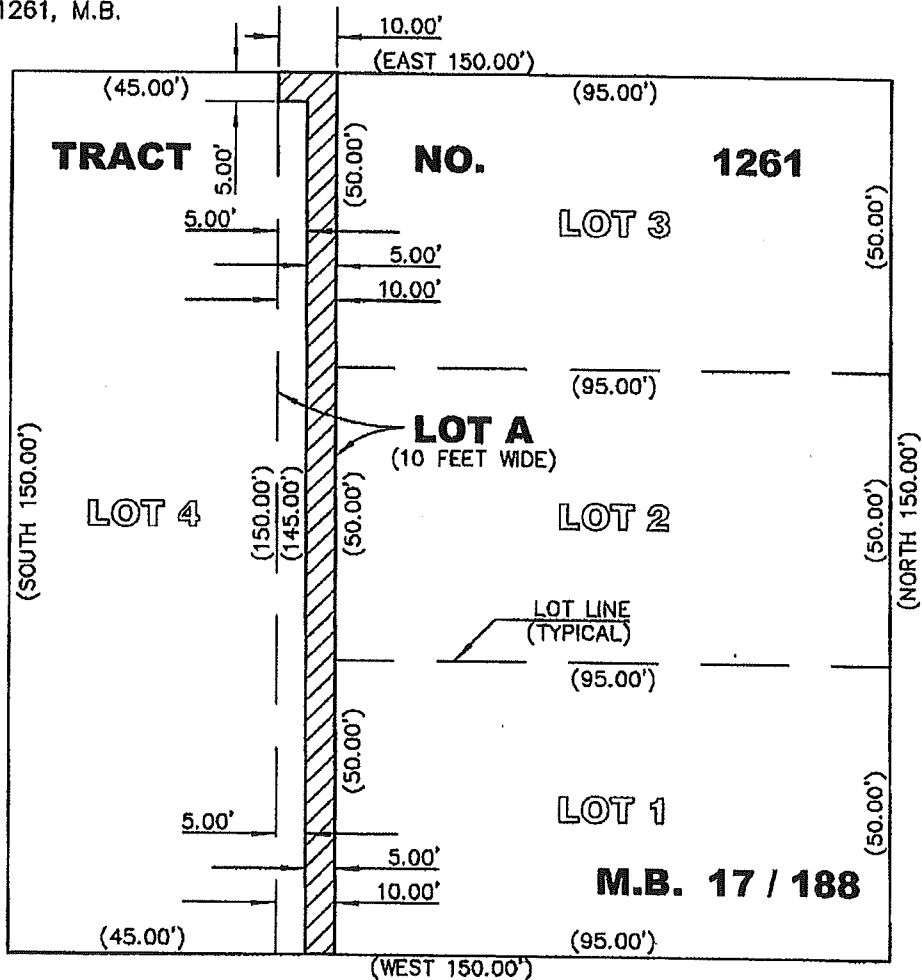
() - INDICATES RECORD OR CALCULATED DATA PER TRACT NO. 1261, M.B. 17/188.

LA REINA WAY

(ALLEY - 10 FEET WIDE)

DEL REY COURT
(ALLEY - 16 FEET WIDE)

CEDAR AVENUE
(80 FEET WIDE)



LEGEND:

- INDICATES AREA OF VACATION: 775 S.F.

SEVENTH STREET

(80 FEET WIDE)

SURVEYOR'S STATEMENT:

THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

TREVOR D. RICE
SIGNED: 06/20/16

P.L.S. NO. 8862



NOTE:

LOT A OF TRACT NO. 1261, M.B. 17/188, WAS DEEDED TO THE CITY OF LONG BEACH BY ROSA HELLER PER DEED RECORDED JULY 7, 1915 IN BOOK 6068, PAGE 116 OF DEEDS.

D. Woolley & Associates™

2832 WALNUT AVENUE, SUITE A
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(714) 734-8462 FAX (714) 508-7521

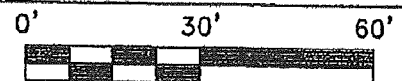
SHEET 1 OF 1

DATE: 06/20/16

DRAWN BY: BJM

CHKD. BY: TDR

FILE NO.: 15201.13



SCALE: 1" = 30'



CITY OF LONG BEACH
DEPARTMENT OF PUBLIC WORKS

C-9
Exhibit B

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

February 7, 2017

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution of Intention to vacate the unpaved alley west of Cedar Avenue between La Reina Way and 7th Street; set the date of March 14, 2017, for the public hearing on the vacation; and,

Accept Categorical Exemption No. 16-228. (District 1)

DISCUSSION

The City of Long Beach requests to vacate the unpaved alley west of Cedar Avenue between La Reina Way and 7th Street (Exhibit A) to allow for the maintenance of the unused property by adjacent property owners. Consistent with California land reversion practices, the vacated portions of the alley will revert back to the adjacent property owners.

Proceedings for this vacation are being conducted in accordance with Chapter 3, General Vacation Procedure, of the Public Streets, Highways and Service Easements Vacation Law of the California Streets and Highways Code. Findings must establish that the subject alley is unnecessary for present or prospective public use (Exhibit B). The Public Works Department (PW) supports this vacation based on findings that the dedicated alley is unnecessary for present or prospective public use.

On December 1, 2016, the Planning Commission determined the subject vacation action is consistent with the General Plan (Exhibit C). In conformance with the California Environmental Quality Act, Categorical Exemption Number 16-228 was issued for this vacation (Exhibit D).

The interested City departments, including Traffic Engineering, Fire and Police have reviewed the proposed alley vacation and have no objections to this action. Conditions of approval, satisfying the concerns of the public utility companies are attached (Exhibit E). An easement must be reserved.

A public hearing on this matter is to be held on March 14, 2017, and will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard. At that time, the City Council will deliberate and take action on the proposed vacation.

This matter was reviewed by Deputy City Attorney Linda T. Vu on December 29, 2016 and by Budget Analysis Officer Julissa Jose-Murray on January 9, 2017.

TIMING CONSIDERATIONS

City Council action is requested on February 7, 2017, to set a hearing date on this matter for March 14, 2017.

FISCAL IMPACT

A tentative fee was not collected because this vacation was initiated by the City. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CRAIG A. BECK
DIRECTOR OF PUBLIC WORKS

APPROVED:



PATRICK H. WEST
CITY MANAGER

EL:SDJ

- ATTACHMENTS:
- EXHIBIT A – VACATION SKETCH No. 1022V
 - EXHIBIT B – CITY COUNCIL FINDINGS
 - EXHIBIT C – PLANNING COMMISSION FINDINGS
 - EXHIBIT D – CEQA 16-228
 - EXHIBIT E – CONDITIONS OF APPROVAL
 - RESOLUTION

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4664

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RESOLUTION NO.

A RESOLUTION ORDERING THE VACATION OF
THE ALLEY WEST OF CEDAR AVENUE BETWEEN LA
REINA WAY AND 7TH STREET IN THE CITY OF LONG
BEACH, COUNTY OF LOS ANGELES, STATE OF
CALIFORNIA

WHEREAS, the City Council of the City of Long Beach, did heretofore, on
February 7, 2017, by Resolution No. RES-17-0007, declare its intention to order the
vacation, pursuant to the provisions of the Public Streets, Highways, and Service
Easements Law, the alley west of Cedar Avenue between La Reina Way and 7th Street,
in the City of Long Beach, County of Los Angeles, State of California, described more
particularly as follows:

IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES,
STATE OF CALIFORNIA, BEING A PORTION OF LOT A OF TRACT
NO. 1261, AS SHOWN ON THE MAP RECORDED IN BOOK 17, PAGE
188 OF MAPS, RECORDS OF LOS ANGELES COUNTY, CALIFORNIA
AND DEEDED TO THE CITY OF LONG BEACH BY ROSA HELLER
PER DEED RECORDED JULY 7, 1915 IN BOOK 6068, PAGE 116 OF
DEEDS, DESCRIBED AS FOLLOWS:

LOT A EXCEPTING THEREFROM THE SOUTH 145 FEET OF
THE WEST HALF. CONTAINING 775 SQUARE FEET, MORE OR
LESS.

RESERVING UNTO THE CITY OF LONG BEACH, ITS
SUCCESSORS AND ASSIGNS A PERPETUAL EASEMENT AND
RIGHT-OF-WAY FOR EMERGENCY ACCESS, AND A PERPETUAL
EASEMENT AND RIGHT OF WAY, AT ANY TIME OR FROM TIME TO

1 TIME, TO LAY, CONSTRUCT, MAINTAIN, OPERATE, REPAIR, RENEW,
2 REPLACE, CHANGE THE SIZE OF AND REMOVE THE EXISTING
3 UTILITY LINES, INCLUDING, BUT NOT LIMITED TO, SANITARY,
4 SEWERS, STORM DRAINS AND APPURTENANT STRUCTURES,
5 TOGETHER WITH ALL NECESSARY GATES, VALVES, FITTINGS,
6 HYDRANTS AND APPURTENANCES FOR THE TRANSPORTATION OF
7 WATER AND GAS, WITH THE RIGHT OF INGRESS TO AND EGRESS
8 FROM THE SAME, OVER, THROUGH, UNDER, ALONG AND ACROSS
9 THAT CERTAIN PROPERTY VACATED HEREWITH; AND PURSUANT
10 TO ANY EXISTING FRANCHISES OR RENEWALS THEREOF, OR
11 OTHERWISE, TO CONSTRUCT, MAINTAIN, OPERATE, REPLACE,
12 REMOVE, RENEW AND ENLARGE LINES OF CONDUITS, CABLES,
13 WIRES, POLES AND OTHER CONVENIENT STRUCTURES,
14 EQUIPMENT AND FIXTURES FOR THE OPERATION OF TELEPHONE
15 LINES AND OTHER COMMUNICATION LINES, AND FOR THE
16 TRANSMISSION OR DISTRIBUTION OF ELECTRIC ENERGY, AND
17 INCIDENTAL PURPOSES INCLUDING ACCESS AND THE RIGHT TO
18 KEEP THE PROPERTY FREE FROM INFLAMMABLE MATERIALS, AND
19 WOOD GROWTH, AND OTHERWISE PROTECT THE SAME FROM ALL
20 HAZARDS IN, UPON AND OVER THE PART VACATED. ACCESS FOR
21 MAINTENANCE OF THE ABOVE-MENTIONED FACILITIES MUST BE
22 MAINTAINED AT ALL TIMES. NO IMPROVEMENTS SHALL BE
23 CONSTRUCTED WITHIN THE EASEMENT WHICH WOULD IMPEDE
24 THE OPERATION, MAINTENANCE OR REPAIR OF SAID FACILITIES.
25 CONSTRUCTION OF ANY IMPROVEMENTS, INCLUDING CHANGES
26 OF GRADE, SHALL BE SUBJECT TO THE PRIOR WRITTEN
27 APPROVAL OF ALL THE CITY DEPARTMENTS AND PUBLIC UTILITIES
28 RESPONSIBLE FOR THE ABOVE SAID FACILITIES.

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WHEREAS, the City Council did, at said time, fix Tuesday, the 14th day of March, 2017, at the hour of 5:00 p.m., as the time and the City Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long Beach, California, as the place for hearing for all persons interested in or objecting to the proposed vacation to appear and be heard; and

WHEREAS, notice of the resolution of the intention to vacate, stating the time and place of said hearing, was duly posted in the manner prescribed by law; and

WHEREAS, said hearing was called and held before the City Council at the time and place so fixed and evidence taken and received on the matter of said proposed vacation, and the City Council, upon said evidence, now makes those findings of fact set forth in said Exhibit "B", attached hereto and by this reference made a part hereof;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. Pursuant to the foregoing resolution of intention, the proceedings had thereunder, Vacation Sketch No. 1022V showing the alley west of Cedar Avenue between La Reina Way and 7th Street to be vacated by the City of Long Beach attached hereto as Exhibit "A", and the City Council Findings attached hereto as Exhibit "B", said City Council of the City of Long Beach hereby makes its resolution vacating and closing a portion of the street hereinabove described.

Section 2. That this resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk is hereby instructed to certify to the adoption thereof, and to cause a certified copy to be recorded in the Office of the County Recorder of the County of Los Angeles, California.

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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4664

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2017 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

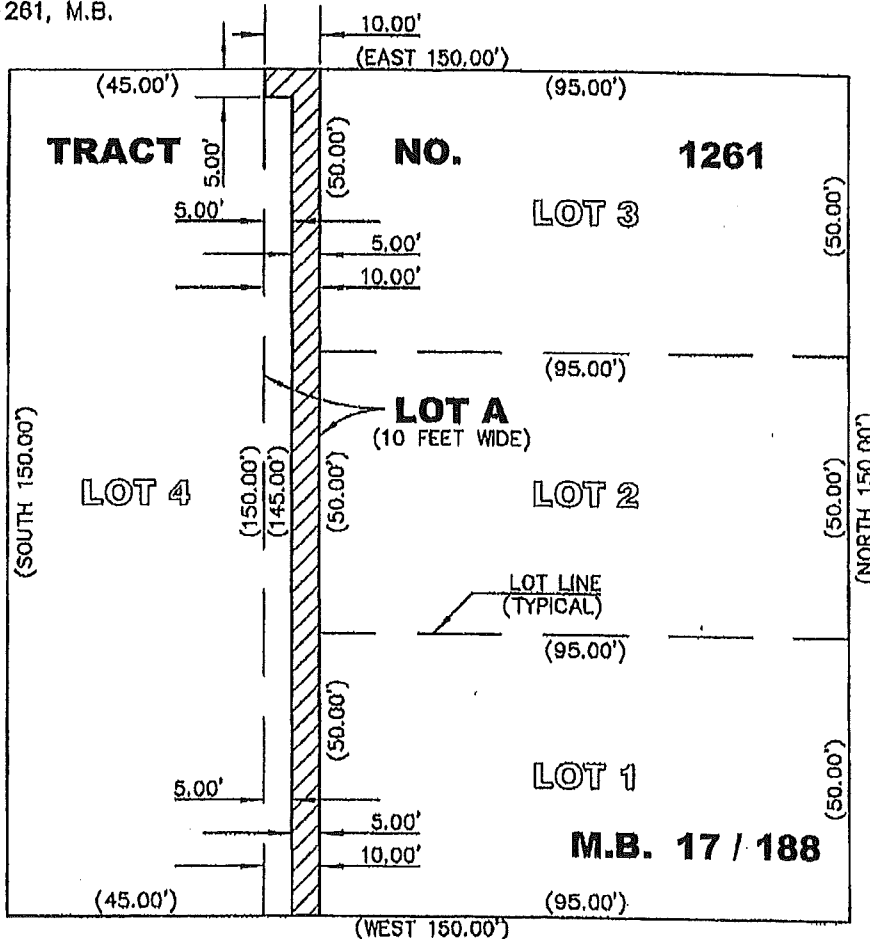
SKETCH 1022V

RECORD DATA:

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DEL REY COURT
(ALLEY - 16 FEET WIDE)



CEDAR AVENUE
(80 FEET WIDE)

LEGEND:

- INDICATES AREA OF VACATION: 775 S.F.

SEVENTH STREET (80 FEET WIDE)

SURVEYOR'S STATEMENT:

THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

Trevor D. Rice

TREVOR D. RICE
SIGNED: 06/20/16

P.L.S. NO. 8862



NOTE:

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SHEET 1 OF 1

DATE: 06/20/16

DRAWN BY: BJM

CHKD. BY: TDR

FILE NO.: 15201.13

0' 30' 60'

SCALE: 1" = 30'



CITY COUNCIL FINDINGS

VACATION OF THE ALLEY WEST OF CEDAR AVENUE BETWEEN LA REINA WAY AND 7TH STREET

1. The subject right-of-way is unnecessary for present or prospective public use.

This finding is based upon the following subfindings:

- a) On December 1, 2016, the Planning Commission determined that the subject vacation is consistent with the General Plan, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law;
 - b) The interested City departments, including Traffic Engineering, Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action;
 - c) The rights-of-way would not be useful for exclusive bicycle pathway purposes;
2. The vacation of said rights-of-way will not have a significantly adverse environmental effect.

This finding is based upon the following subfindings:

- a) The right-of-way is not and will not be needed for public use.
- d) In conformance with the California Environmental Quality Act, Categorical Exemption Number 16-228 was issued for this project.

EXHIBIT B